

H. Peter Evans, OSB 012532
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON (PORTLAND)**

SVETLANA O. TSVETKOV,

Plaintiff,

v.

COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION,

Defendant.

Case No. 3:21-cv-01394-SI

**ORDER FOR FEES UNDER 42 U.S.C. §
406(b)**

Plaintiff brought this action seeking review of the Commissioner of the Social Security Administration's final decision to deny Plaintiff's application for Supplemental Security Income under Title XVI of the Social Security Act. The Court remanded the case for further administrative proceedings. ECF No. 17. On remand, Plaintiff receive a Fully Favorable decision, awarding her Supplemental Security Income.

Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Defendant has not objected to the request. The Court finds the requested fees are reasonable.

Plaintiff's motion [ECF No. 21] is granted. H. Peter Evans is awarded an attorney's fee under the Social Security Act, 42 U.S.C. §406(b), in the amount of \$9,991.79 to be paid from Plaintiff's past-due benefits. Such net sum represents the full amount of \$16,904.25 in 42 U.S.C.

§406(b) attorney fees minus fees Plaintiff's counsel previously received under the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412, in the amount of \$6,912.46, for a net award of \$9,991.79. Payment pursuant to Section 406(b) should be mailed to H. Peter Evans.

IT IS SO ORDERED.

DATED this 8th day of October, 2024.



Michael H. Simon
U.S. District Court Judge

Proposed Order Submitted on October 4, 2024.

/s/ H. Peter Evans
H. Peter Evans, OSB 012532
Attorney for Plaintiff